

APPEAL,CUSTODY,TERMED

**U.S. District Court Northern District of Indiana [LIVE]  
USDC Northern Indiana (South Bend)  
CRIMINAL DOCKET FOR CASE #: 3:21-cr-00041-RLM-MGG-1**

Case title: United States of America v. Reyna

Date Filed: 05/12/2021

Date Terminated: 01/30/2023

Assigned to: Judge Robert L  
Miller, Jr  
Referred to: Magistrate Judge  
Michael G Gotsch, Sr

**Defendant (1)**

**Jose Reyna**

*TERMINATED: 01/30/2023*

represented by **Scott J Frankel – FCD**

Federal Community Defenders Inc – SB/IN

Northern District of Indiana

130 S Main St Ste 300

South Bend, IN 46601

574-245-7393

Fax: 574-245-7394

Email: [scott\\_frankel@fd.org](mailto:scott_frankel@fd.org)

*LEAD ATTORNEY*

*ATTORNEY TO BE NOTICED*

*Designation: Public Defender or Community  
Defender Appointment*

**Chad Pennington – FCD**

Federal Community Defenders Inc – Ham/IN

Northern District of Indiana

2929 Carlson Dr Ste 101

Hammond, IN 46323

219-937-8020

Fax: 219-937-8021

Email: [chad\\_pennington@fd.org](mailto:chad_pennington@fd.org)

*ATTORNEY TO BE NOTICED*

*Designation: Public Defender or Community  
Defender Appointment*

**Pending Counts**

18:922(k) POSSESSION OF A  
FIREARM WITH AN  
OBLITERATED SERIAL  
NUMBER AND FORFEITURE  
ALLEGATION

(1)

**Disposition**

28 months imprisonment, 2 years supervised  
release, no fine, \$100.00 special assessment

**Highest Offense Level (Opening)**

Felony

**Terminated Counts**

None

**Disposition**

**Highest Offense Level  
(Terminated)**

None

**Complaints**

None

**Disposition**

---

**Plaintiff**

**United States of America**

represented by **Molly E Donnelly – AUSA**  
US Attorney's Office – SB/IN  
M01 Federal Building  
204 S Main St  
South Bend, IN 46601–2191  
574–236–8287  
Fax: 574–236–8155  
Email: [molly.donnelly@usdoj.gov](mailto:molly.donnelly@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Government Attorney*

**Nathaniel L Whalen – AUSA**  
US Attorney's Office – Ham/IN  
5400 Federal Plz Ste 1500  
Hammond, IN 46320  
219–937–5500  
Fax: 219–852–2770  
Email: [nathaniel.whelen@usdoj.gov](mailto:nathaniel.whelen@usdoj.gov)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*  
*Designation: Government Attorney*

**Frank E Schaffer – AUSA**  
US Attorney's Office – SB/IN  
M01 Federal Building  
204 S Main St  
South Bend, IN 46601–2191  
574–236–8287  
Fax: 574–236–8155  
Email: [usainn.ecfdeparted@usdoj.gov](mailto:usainn.ecfdeparted@usdoj.gov)  
*TERMINATED: 01/03/2023*

Designation: Government Attorney

Date Filed	#	Docket Text
02/06/2023	<u>50</u>	Docketing Statement re: <u>49</u> Notice of Appeal – Final Judgment filed by Jose Reyna. (Frankel – FCD, Scott) (Entered: 02/06/2023)
02/06/2023	<u>49</u>	NOTICE OF APPEAL by Jose Reyna (Frankel – FCD, Scott) (Entered: 02/06/2023)
01/30/2023	<u>47</u>	JUDGMENT as to Jose Reyna (1). Signed by Judge Robert L Miller, Jr on 1/30/2023. (rmc) (Entered: 01/30/2023)
01/30/2023	<u>46</u>	SENTENCING MEMORANDUM as to Jose Reyna. Signed by Judge Robert L Miller, Jr on 1/30/2023.(Copy mailed to defendant) (rmc) (Entered: 01/30/2023)
01/30/2023	<u>45</u>	FINAL ORDER OF FORFEITURE granting <u>40</u> Motion for Forfeiture of Property as to Jose Reyna (1). Signed by Judge Robert L Miller, Jr on 1/30/2023. (rmc) (Entered: 01/30/2023)
01/30/2023	44	SENTENCING held on 1/30/2023 for Jose Reyna (1) before Judge Robert L Miller, Jr. Govt appeared by atty M. Donnelly. Dft appeared with atty S. Frankel. J. Johnson appeared on behalf of U S Probation/Pretrial Services. Parties present. Hearing no objections, the court adopts paragraphs 1–89 of the PSR, specifically paragraphs 51–69 relating to the defendant's financial condition and earning ability. The court hears from the parties. For reasons stated, defendant sentenced on Count 1 to 28 months imprisonment, 2 years supervised release, no fine, \$100.00 special assessment. The court notes that Mr. Reyna spent three and a half months in state custody on a related charge. The court adopts paragraphs 90–100 of the PSR. Defendant waived right to have conditions of supervision read to him in open court. Defendant advised of right to appeal. The court continues the appointment of counsel for defendant to file timely appeal on behalf of defendant. The motion for final order of forfeiture to be granted by written order. Defendant REMANDED to custody of US Marshal.(Court Reporter D. Bonk) (rmc) (Entered: 01/30/2023)
01/03/2023	43	ORDER granting <u>42</u> Motion to Withdraw as Attorney. Frank E Schaffer – AUSA withdrawn from case. as to Jose Reyna (1). Approved by Magistrate Judge Michael G Gotsch, Sr on 1/3/23. (slm) (Entered: 01/03/2023)
12/23/2022	<u>42</u>	MOTION to Withdraw as Attorney <i>Frank E. Schaffer</i> by United States of America as to Jose Reyna. (Donnelly – AUSA, Molly) (Entered: 12/23/2022)
12/20/2022	41	NOTICE OF HEARING as to Jose Reyna. Sentencing set for 1/30/2023 at 9:30 AM (EST) in US District Court – South Bend before Judge Robert L Miller Jr. (rmc) (Entered: 12/20/2022)
12/19/2022	<u>40</u>	MOTION for Final Order of Forfeiture by United States of America as to Jose Reyna. (Attachments: # <u>1</u> DECLARATION OF PUBLICATION)(Schaffer – AUSA, Frank) (Entered: 12/19/2022)
12/16/2022	<u>39</u>	ATTORNEY APPEARANCE Molly E Donnelly – AUSA appearing for USA. (Donnelly – AUSA, Molly) (Entered: 12/16/2022)
12/15/2022	<u>38</u>	OPINION AND ORDER denying <u>28</u> Motion to Dismiss as to Jose Reyna (1). The court will schedule Mr. Reynas sentencing hearing by separate order. Signed by Judge Robert L Miller, Jr on 12/15/2022. (rmc) (Entered: 12/15/2022)

12/09/2022	<u>37</u>	SUPPLEMENT to <u>28</u> MOTION to Dismiss by Jose Reyna (Frankel – FCD, Scott) (Entered: 12/09/2022)
12/05/2022	<u>36</u>	MOTION HEARING as to Jose Reyna held on 12/5/2022 before Judge Robert L Miller, Jr. Govt appeared by atty N. Whalen. Dft appeared with attys S. Frankel and C. Pennington. Parties present. The court heard arguments from counsel re <u>28</u> MOTION to Dismiss filed by Jose Reyna. The court takes matter under advisement. Court will issue a written order. Defendant REMANDED to custody of US Marshal.(Court Reporter D. Bonk) (rmc) (Entered: 12/05/2022)
12/02/2022	<u>35</u>	NOTICE of Supplemental Authority by United States of America as to Jose Reyna re <u>31</u> Response in Opposition (Attachments: # <u>1</u> Exhibit A (United States v. Holton))(Whalen – AUSA, Nathaniel) (Entered: 12/02/2022)
12/02/2022	<u>34</u>	ATTORNEY APPEARANCE: Chad Pennington – FCD appearing for Jose Reyna (Pennington – FCD, Chad) (Entered: 12/02/2022)
11/14/2022	<u>33</u>	NOTICE OF HEARING ON MOTION in case as to Jose Reyna <u>28</u> MOTION to Dismiss : Motion Hearing set for 12/5/2022 at 9:30 AM (EST) in US District Court – South Bend before Judge Robert L Miller Jr. (rmc) (Entered: 11/14/2022)
11/10/2022	<u>32</u>	REPLY TO RESPONSE to Motion by Jose Reyna re <u>28</u> MOTION to Dismiss (Frankel – FCD, Scott) (Entered: 11/10/2022)
10/31/2022	<u>31</u>	RESPONSE in Opposition by United States of America as to Jose Reyna re <u>28</u> MOTION to Dismiss (Attachments: # <u>1</u> Exhibit 1)(Whalen – AUSA, Nathaniel) (Entered: 10/31/2022)
10/24/2022	<u>30</u>	ATTORNEY APPEARANCE Nathaniel L Whalen – AUSA appearing for USA. (Whalen – AUSA, Nathaniel) (Entered: 10/24/2022)
10/18/2022	<u>29</u>	ORDER as to Jose Reyna: The court on its own motion vacates Mr. Reyna's sentencing hearing, to be reset at a later date, so that the government can respond to Mr. Reyna's motion to dismiss. Text-only order by Judge Robert L Miller, Jr on 10/18/2022. (rmc) (Entered: 10/18/2022)
10/17/2022	<u>28</u>	MOTION to Dismiss by Jose Reyna. (Attachments: # <u>1</u> Attachment)(Frankel – FCD, Scott) (Entered: 10/17/2022)
10/13/2022	<u>27</u>	SUPPLEMENT to <u>26</u> Sentencing Memorandum by Jose Reyna (Frankel – FCD, Scott) (Entered: 10/13/2022)
10/12/2022	<u>26</u>	SENTENCING MEMORANDUM by Jose Reyna (Frankel – FCD, Scott) (Entered: 10/12/2022)
10/12/2022	<u>25</u>	SENTENCING MEMORANDUM by United States of America as to Jose Reyna (Schaffer – AUSA, Frank) (Entered: 10/12/2022)
10/04/2022	<u>23</u>	<b>ADDENDUM</b> TO FINAL PRESENTENCE INVESTIGATION REPORT re <u>22</u> as to <b>Jose Reyna</b> . NOTE: This document will only be accessible to appropriate court staff, the government attorney and the attorney for the applicable defendant. Other defendants in the case and the general public will NOT be able to view this document. <b>For parties entitled to a free look at this document, enter your CM/ECF login and password to confirm your right to view this document.</b> (USPO Johnson – jessica_johnson@innp.uscourts.gov, fax 574-246-8357) (Entered: 10/04/2022)
10/04/2022	<u>22</u>	

		<b>FINAL</b> PRESENTENCE INVESTIGATION REPORT as to <b>Jose Reyna</b> . NOTE: This document will only be accessible to appropriate court staff, the government attorney and the attorney for the applicable defendant. Other defendants in the case and the general public will NOT be able to view this document. <b>For parties entitled to a free look at this document, enter your CM/ECF login and password to confirm your right to view this document.</b> (USPO Johnson – jessica_johnson@innp.uscourts.gov, fax 574-246-8357) (Entered: 10/04/2022)
09/28/2022	21	NOTICE OF NO OBJECTION to Presentence Investigation Report by Jose Reyna re <u>19</u> (USPO Johnson – jessica_johnson@innp.uscourts.gov, fax 574-246-8357) (Entered: 10/04/2022)
09/28/2022	20	NOTICE OF NO OBJECTION to Presentence Investigation Report by United States of America as to Jose Reyna re <u>19</u> (USPO Johnson – jessica_johnson@innp.uscourts.gov, fax 574-246-8357) Modified date of filing on 10/4/2022 (ksc). (Entered: 10/04/2022)
09/14/2022	<u>19</u>	<b>DRAFT</b> PRESENTENCE INVESTIGATION REPORT as to <b>Jose Reyna</b> . NOTE: This document will only be accessible to the government attorney and the attorney for the applicable defendant. The judge in this case, other defendants and the general public will NOT be able to view this draft document. For parties entitled to a free look at this document, enter your CM/ECF login and password to confirm your right to view this document. Parties should submit objections to this report <u>directly to the probation officer listed at the end of this docket entry</u> . <b>IMPORTANT!!!</b> <b>Government attorneys and federal community defenders should send objections by SECURE E-MAIL to the probation officer; private attorneys and CJA panel attorneys MUST send objections by FAX ONLY! Government Objections to the Draft Presentence Investigation Report are due not later than 9/28/2022 pursuant to Rule 32 and General Order of the Court 2001-1. Defendant Objections to the Draft Presentence Investigation Report are due not later than 9/28/2022 pursuant to Rule 32 and General Order of the Court 2001-1.</b> (USPO Johnson – jessica_johnson@innp.uscourts.gov, fax 574-246-8357) (Entered: 09/14/2022)
09/12/2022	<u>18</u>	PRELIMINARY ORDER OF FORFEITURE granting <u>17</u> Motion for Forfeiture of Property as to Jose Reyna (1). Signed by Judge Robert L Miller, Jr on 9/12/2022. (rmc) (Entered: 09/12/2022)
09/08/2022	<u>17</u>	MOTION for Preliminary Order of Forfeiture by United States of America as to Jose Reyna. (Schaffer – AUSA, Frank) (Entered: 09/08/2022)
07/11/2022	16	CHANGE OF PLEA HEARING as to Jose Reyna held on 7/11/2022 before Judge Robert L Miller, Jr. Govt appeared by atty F. Schaffer. Dft appeared with atty S. Frankel. Defendant sworn and advised of rights and penalties. Defendant pleads guilty to count 1 of the Indictment. Court accepts guilty plea. Defendant is referred to U.S. Probation for preparation of a presentence investigation report. Sentencing set for 10/19/2022 at 9:00 AM (EST) in US District Court – South Bend before Judge Robert L Miller Jr. Sentencing Memoranda and Motions related to sentencing due by 10/12/2022. Trial date of 7/19/2022 is VACATED. Defendant REMANDED to custody of US Marshal.(Court Reporter A. Stokes) (rmc) (Entered: 07/11/2022)
06/28/2022	15	NOTICE OF HEARING as to Jose Reyna: Change of Plea Hearing set for 7/11/2022 at 1:00 PM (EDT) in US District Court – South Bend before Judge Robert L Miller Jr. (rmc) (Entered: 06/28/2022)
06/27/2022	<u>14</u>	

		NOTICE <i>BILL OF PARTICULARS FOR FORFEITURE OF PROPERTY</i> by United States of America as to Jose Reyna (Schaffer – AUSA, Frank) (Entered: 06/27/2022)
06/27/2022	<u>13</u>	NOTICE of Intent to Plead Guilty (Frankel – FCD, Scott) (Entered: 06/27/2022)
05/19/2022	<u>12</u>	ORDER OF DETENTION as to Jose Reyna. Signed by Magistrate Judge Michael G Gotsch, Sr on 5/19/22. (slm) (Entered: 05/19/2022)
05/19/2022	<u>11</u>	DISCOVERY ORDER as to Jose Reyna. Signed by Magistrate Judge Michael G Gotsch, Sr on 5/19/22. (slm) (Entered: 05/19/2022)
05/19/2022	<u>10</u>	Defendant's Consent to Appear by Video Teleconference as to Jose Reyna. (slm) (Entered: 05/19/2022)
05/19/2022	<u>9</u>	INITIAL APPEARANCE/ARRAIGNMENT/DETENTION as to Jose Reyna held on 5/19/2022 before Magistrate Judge Michael G Gotsch, Sr via video teleconference. Govt appeared by atty Schaffer. Dft appeared by atty Frankel. Upchurch appeared on behalf of U S Pretrial Services. Defendant advised of rights, charges and penalties. Defendant requests court appointed counsel. Court finds defendant is eligible for court appointed counsel. Dft enters not guilty plea as to Count 1. Pretrial Motions due by 6/16/2022. 2 day Jury Trial set for 7/19/2022 09:30 AM in US District Court – South Bend before Judge Robert L Miller Jr. Parties proffer evidence as to detention and arguments heard. Court orders defendant be held without bond pending trial or further proceedings. Defendant REMANDED to custody of US Marshal.(Tape #FTR 5/19/22.) (slm) (Entered: 05/19/2022)
05/19/2022	<u>8</u>	Arrest Warrant Returned Executed on 5/17/22 in case as to Jose Reyna. (jld) (Entered: 05/19/2022)
05/19/2022	<u>7</u>	PRETRIAL BOND REPORT as to <b>Jose Reyna</b> . NOTE: This document will only be accessible to appropriate court staff, the government attorney and the attorney for the applicable defendant. Other defendants in the case and the general public will NOT be able to view this document. <b>For parties entitled to a free look at this document, enter your CM/ECF login and password to confirm your right to view this document.</b> (USPO Upchurch – alison_upchurch@innp.uscourts.gov, fax 574-246-8364) (Entered: 05/19/2022)
05/18/2022	<u>6</u>	ORDER on court's own motion as to Jose Reyna re 4 Arraignment/ Initial Appearance is reset for 5/19/2022 03:00 PM in US District Court – South Bend before Magistrate Judge Michael G Gotsch Sr.. Approved by Magistrate Judge Michael G Gotsch, Sr on 5/18/22. (slm) (Entered: 05/18/2022)
05/18/2022	<u>5</u>	ATTORNEY APPEARANCE: Scott J Frankel – FCD appearing for Jose Reyna (Frankel – FCD, Scott) (Entered: 05/18/2022)
05/18/2022	<u>4</u>	ORDER as to Jose Reyna re 3 Now sets Arraignment/ Initial Appearance set for 5/20/2022 03:00 PM in US District Court – South Bend before Magistrate Judge Michael G Gotsch Sr.. Approved by Magistrate Judge Michael G Gotsch, Sr on 5/18/22. (slm) (Entered: 05/18/2022)
05/18/2022	<u>3</u>	NOTICE OF HEARING as to Jose Reyna. Initial Appearance set for 5/23/2022 03:00 PM in US District Court – South Bend before Magistrate Judge Michael G Gotsch Sr. (slm) (Entered: 05/18/2022)
05/18/2022		Arrest of Jose Reyna (slm) (Entered: 05/18/2022)

05/12/2021	<u>1</u>	INDICTMENT as to Jose Reyna (1) count(s) 1. (rmc) (Additional attachment(s) added on 5/13/2021: # <u>1</u> Restricted ink signature) (rmc). (Entered: 05/13/2021)
------------	----------	---

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

**UNITED STATES OF AMERICA**  
**Plaintiff,**

**v.**

**JOSE REYNA**  
**Defendant.**

)  
)  
)  
)  
)  
)  
)

**Case No.: 3:21-CR-41 RLM**

**NOTICE OF APPEAL**

Notice is hereby given that Jose Reyna, above-named Defendant, hereby appeals to the United States Court of Appeals for the Seventh Circuit from the Judgment entered on this Action on January 30, 2023.

Dated: February 6, 2023

Respectfully submitted,

Northern District of Indiana  
Federal Community Defenders, Inc.

By: s/ Scott J. Frankel  
Scott J. Frankel, Staff Attorney  
130 S. Main Street, Suite 300  
South Bend, IN 46601  
Phone: (574) 245-7393  
Fax: (574) 245-7394  
eMail: [scott\\_frankel@fd.org](mailto:scott_frankel@fd.org)



**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
SOUTH BEND DIVISION**

**UNITED STATES OF AMERICA**  
**Plaintiff,**

**v.**

**JOSE REYNA**  
**Defendant.**

)  
)  
)  
)  
)  
)  
)

**Case No.: 3:21-CR-41 RLM**

**DOCKETING STATEMENT**

This is a direct appeal from an order of the United States District Court for the Northern District of Indiana, South Bend Division in a criminal prosecution. The criminal prosecution was brought pursuant to 18 U.S.C. § 922(k).

The jurisdiction of the District Court was authorized pursuant to 18 U.S.C. § 3231. The United States Court of Appeals for the Seventh Circuit has jurisdiction pursuant to 28 U.S.C. § 1291 and 18 U.S.C. § 3742. The *Judgment in a Criminal Case* was entered by the District Court for the Northern District of Indiana, South Bend Division on January 30, 2023.

The District Court sentenced the Defendant to a term of imprisonment of 28 months, followed by two years of supervised release.

On February 6, 2023, the Defendant filed a timely Notice of Appeal. This is an appeal from a final order or judgment that disposes of all parties' claims.

Dated: February 6, 2023

Respectfully submitted,

Northern District of Indiana  
Federal Community Defenders, Inc.

By: s/ Scott J. Frankel  
Scott J. Frankel, Staff Attorney  
130 S. Main Street, Suite 300  
South Bend, IN 46601  
Phone: (574) 245-7393  
Fax: (574) 245-7394  
eMail: [scott\\_frankel@fd.org](mailto:scott_frankel@fd.org)

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA**

**UNITED STATES OF AMERICA**

**Plaintiff,**

**vs.**

**JOSE REYNA**

**Defendant.**

**CASE NUMBER: 3:21CR41-001**

**USM Number: 01734-510**

**CHAD PENNINGTON - FCD  
DEFENDANT'S ATTORNEY**

**JUDGMENT IN A CRIMINAL CASE**

**THE DEFENDANT** pleaded guilty to count 1 of the Indictment on 7/11/2022.

**ACCORDINGLY**, the court has adjudicated that the defendant is guilty of the following offense:

<u>Title, Section &amp; Nature of Offense</u>	<u>Date Offense Ended</u>	<u>Count Number(s)</u>
18:922(k) POSSESSION OF A FIREARM WITH AN OBLITERATED SERIAL NUMBER AND FORFEITURE ALLEGATION	February 17, 2021	1

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

Final order of forfeiture filed on 1/30/2023.

**IT IS ORDERED** that the defendant must notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States Attorney of any material change in economic circumstances.

January 30, 2023

Date of Imposition of Judgment

s/ Robert L. Miller, Jr.

Signature of Judge

Robert L. Miller, Jr., United States District Judge

Name and Title of Judge

January 30, 2023

Date

### IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a term of **28 months**.

The Court makes the following recommendations to the Bureau of Prisons:

The court notes that Jose Reyna spent three and a half months in state custody on a related charge.

The defendant is remanded to the custody of the United States Marshal.

### RETURN

I have executed this judgment as follows:

Defendant delivered \_\_\_\_\_ to \_\_\_\_\_ at \_\_\_\_\_,  
with a certified copy of this judgment.

\_\_\_\_\_  
UNITED STATES MARSHAL

By: \_\_\_\_\_  
DEPUTY UNITED STATES MARSHAL

## **SUPERVISED RELEASE**

Upon release from imprisonment, the defendant shall be on supervised release for a term of **2 years** subject to the following conditions:

### **CONDITIONS OF SUPERVISION**

1. You must not commit another federal, state, or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must not unlawfully use any controlled substance, including marijuana, and must submit to one drug test within 15 days of the beginning of supervision and at least 2 periodic tests after that for use of a controlled substance.
4. You must cooperate with the probation officer with respect to the collection of DNA.
5. You must be lawfully employed full-time (at least 30 hours per week). If you are not employed full-time, you must try to find full-time employment under the supervision of the probation officer. If you become unemployed, or change your employer, position, or location of employment, you must tell the probation officer within 72 hours of the change. If after 90 days you do not find employment, you must complete at least 10 hours of community service per week until employed or participate in a job skills training program approved and directed by your probation officer.
6. You must report in person to the probation office, in the district which you are released, within 72 hours of release from the custody of the Bureau of Prisons. You must report to the probation officer in the manner and as frequently as the court or the probation officer directs; and you must notify the probation officer within 48 hours of any change in residence, and within 72 hours of being arrested or questioned by a police officer.
7. You must not travel knowingly outside the federal judicial district without the permission of the court. Alternatively, the probation officer will grant such permission when doing so will reasonably assure the probation officer's knowledge of your whereabouts and that travel will not hinder your rehabilitation or present a public safety risk.
8. You must truthfully answer any inquiry by the probation officer and must follow the instruction of the probation officer pertaining to your supervision and conditions of supervision. This condition does not prevent you from invoking the Fifth Amendment privilege against self-incrimination.
9. You must permit a probation officer to meet at your home or any other reasonable location and must permit confiscation of any contraband the probation officer observes in plain view. The probation officer will not conduct such a visit between the hours of 11:00 p.m. and 7:00 a.m. without specific reason to believe a visit during those hours would reveal information or contraband that wouldn't be revealed through a visit during regular hours.

10. You must not possess a firearm, ammunition, destructive device, or any other dangerous weapon (meaning an instrument designed to be used as a weapon and capable of causing death or serious bodily harm).
11. Unless an assessment at the time of release from imprisonment or commencement of probation indicates to the court that participation is unnecessary, you must participate in a (substance abuse) and/or (mental health) and/or (anger management) treatment program or aftercare program. The court will receive notification of such assessment. You must abide by all treatment program requirements and restrictions, consistent with the conditions of the treatment provider. You will be required to participate in drug and/or alcohol testing, not to exceed 85 drug and/or alcohol tests per year. At the request of a treatment provider, probation officer, or you, the court may revise these conditions. While under supervision, you must not consume alcoholic beverages. You must pay all or a part of the costs for participation in the program, not to exceed the sliding fee scale as established by the Department of Health and Human Services and adopted by this court. Failure to pay these costs will not be grounds for revocation unless the failure is willful.

### CRIMINAL MONETARY PENALTIES

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth in this judgment.

**Total Assessment**

\$100.00

**Total Fine**

NONE

**Total Restitution**

NONE

The defendant shall make the special assessment payment payable to Clerk, U.S. District Court, 102 Robert A. Grant Courthouse, 204 South Main Street, South Bend, IN 46601. The special assessment payment shall be due immediately.

### FINE

No fine imposed.

### RESTITUTION

No restitution imposed.

## FORFEITURE

The defendant shall forfeit the defendant's interest in the following property to the United States:

- **CZ USA UNKNOWN Pistol CAL: SN: Unknown**
- **10 Rounds REMINGTON Ammunition CAL:22**



Case 3:21-cr-00041-RLM-MGG Document 47 Filed 01/30/23 Page 7 of 7  
Defendant: JOSE REYNA  
Case Number: 3:21CR41-001

Name: JOSE REYNA  
Docket No.: 3:21CR41-001

### **ACKNOWLEDGMENT OF SUPERVISION CONDITIONS**

Upon a finding of a violation of probation or supervised release, I understand that the Court may (1) revoke supervision, (2) extend the term of supervision, and/or (3) modify the conditions of supervision.

I have reviewed the Judgment and Commitment Order in my case and the supervision conditions therein. These conditions have been read to me. I fully understand the conditions and have been provided a copy of them.

(Signed)

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date

\_\_\_\_\_  
U.S. Probation Officer/Designated Witness

\_\_\_\_\_  
Date